

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                 |   |                             |
|---------------------------------|---|-----------------------------|
| In the Application of           | ) |                             |
| JOHN J. TOBEN, et al.           | ) | Examiner: Saether, Flemming |
|                                 | ) |                             |
| for: DUCT REINFORCEMENT ROD AND | ) | Group Art Unit: 3677        |
| FABRICATION APPARATUS           | ) |                             |
|                                 | ) | Confirmation No. 2213       |
| Serial No.: 10/668,704          | ) |                             |
|                                 | ) | Our Docket No.: 6006-0149-1 |
| Filed: September 23, 2003 )     |   |                             |

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 35 U.S.C. § 121**

Dear Sir:

In the Office Action Summary, dated October 4, 2007, the Examiner has found two (2) distinct inventions claimed in the patent application. Claims 1 through 15 are drawn to Invention I for a fabrication apparatus, classified in class 29. Claims 16 through 20 are drawn to Invention II for a duct reinforcing rod, classified in class 411, subclass 546.

Applicants hereby elect to prosecute Claims 1 through 15 of Invention I, without traverse.

In view of this response and election, Applicants respectfully request examination on the merits.

Should there be any question concerning the election of claims, the Examiner should not hesitate to call the undersigned attorney at the below-listed telephone number.

Applicants believe no fee is due for this Response, however, should there be any deficiency in fees associated with the filing of this Response, please charge our Deposit Account No. 13-0235.

Respectfully submitted,

By /Nicholas J. Tuccillo/  
Nicholas J. Tuccillo, Esq.  
Registration No. 44,322  
Attorney for Applicant(s)

Customer No.: 35301  
McCORMICK, PAULDING & HUBER LLP  
CityPlace II, 185 Asylum Street  
Hartford, CT 06103-4102  
Tel.: (860) 549-5290  
Fax.: (860) 527-0464